

Appl. No. 10/810,479
Amtd. Dated March 16, 2005
Reply to Office action of December 22, 2004

AMENDMENTS TO THE DRAWINGS

In response to objections made to the drawings, applicant submits replacement sheets for FIGS. 1-4 to place the application in better condition for examination. Additionally, FIGS. 5A and 5B have been added.

Attachment: Replacement sheets

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REMARKS

The present amendment is intended to be fully responsive to the Office action having a mailing date of December 22, 2004 wherein claims 1-20 have been rejected and are currently pending. In response to an objection under 37 C.F.R. § 1.121(d), replacement drawings are attached hereto for more clearly illustrating aspects of the invention. By this amendment, independent claims 1 and 13 have been amended to more clearly articulate aspects of the invention. Accordingly, claims 1-20 remain pending in the present application. Applicant submits that no new matter has been added by this amendment and that support for the claims, as amended, may be found throughout the specification and drawings.

DRAWINGS

In response to an objection under 37 C.F.R. § 1.121(d), Applicant submits replacement sheets for FIGS. 1-4 to place the application in better condition for examination. Additionally, FIGS. 5A and 5B have been added to more clearly illustrate aspects of the invention.

SPECIFICATION

In response to an objection made to the specification, paragraph 24 has been amended to more clearly articulate aspects of the invention and to put the application in better condition for examination.

Claim Rejections Under 35 U.S.C § 112

Claims 1-12 are rejected under 35 U.S.C. § 112 first paragraph as failing to comply with the enablement requirement.

By this amendment, paragraph 25 of the specification has been amended to more clearly articulate aspects of the invention. Particularly, paragraph 25 has been amended to disclose a constant velocity joint that includes an outer race, which has one end thereof

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proximate to a flange. Support for this amendment is illustrated in FIG. 2. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claims 3, 4 and 13-20 are rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

By this amendment, new FIGS. 5A and 5B have been added to provide support for the limitations found in claims 3, 4 and 18. Applicant submits that no new matter has been added by the addition of new FIGS. 5A and 5B and that support for the new figures may be found at least on page 9, paragraph 30 of the specification. Further, claim 13 has been amended to more clearly articulate aspects of the invention. Accordingly, applicant respectfully requests that this rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,334,096 issued to *Iwao*. Applicant respectfully disagrees.

It is understood that in order for a single reference to provide the basis for an anticipation rejection, the reference must teach each and every element of the claimed invention. In this case, *Iwao* does not.

Iwao discloses an uniform motion type universal joint that includes a pair of piezoelectric actuators sandwiched between a flange of one rotation axle of the universal joint and the outer member (outer race) and/or between a mounting bolt head of the universal joint and the outer member. The piezoelectric actuators expand and constrict at a frequency different from a rotation frequency of the universal joint to essentially eliminate the generation of high frequency vibration components.

By this amendment, independent claims 1 and 13 have been amended to more clearly articulate aspects of the invention. Particularly, the claims have been respectively amended to include, “a plurality of sleeves; each of said plurality of sleeves having a first end arranged

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within said outer race and a second end arranged within said flange." Applicant submits that *Iwao* does not disclose or teach a constant velocity joint, or transmission assembly, that includes a plurality of sleeves wherein each sleeve includes a first end arranged within an outer race and a second end arranged within a flange. Contrarily, *Iwao* discloses ring shaped piezoelectric actuators *11* and *12* being sandwiched between a flange *2a* and outer member *5* (outer race) and between a head of a mounting bolt *4* for mounting the outer member *5* onto flange *2a* and the outer member *5* (see column 6, lines 56-62 of *Iwao*). Because *Iwao* does not disclose or teach a plurality of sleeves having a first end arranged within an outer race and a second end arranged within a flange as according to independent claims 1 and 13, these claims, and the respective dependent claims, are patentable. Accordingly, removal of the rejection is respectfully requested.

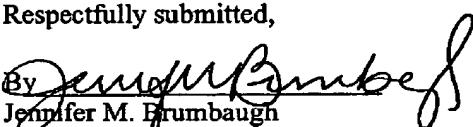
CONCLUSION

In view of the above, presently pending claims 1-20 in this application are believed to be in immediate condition for allowance. Accordingly, it is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 07-1360, under Order No. G00336/US from which the undersigned is authorized to draw.

Respectfully submitted,

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By 
Jennifer M. Brumbaugh
Registration No.: 48,465
GKN Driveline North America, Inc.
3300 University Drive
Auburn Hills, Michigan 48326
(248) 377-1200
Attorney for Applicant

Attachments

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